

**§ 3833.0-9 Information collection.**

(a) The collections of information contained in subpart 3833 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1004-0114. The information will be used to enable BLM to record mining claims, mill sites, and tunnel sites; to maintain ownership records to those claims and sites; to determine the geographic location of the claims and sites recorded for proper land management purposes; and to determine which claims and sites their owner(s) wish to continue to hold under applicable Federal statute. A response is required to obtain a benefit in accordance with Section 314 of FLPMA, as amended, 43 U.S.C. 299, and 30 U.S.C. 28f-k, as amended by the Act of October 21, 1998 (112 Stat. 2681-235).

(b) Public reporting burden for this information is estimated to average 8 minutes per response, including time for reviewing instructions, searching existing records, gathering and maintaining the data collected, and completing and reviewing the information collected. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing the burden; to the Information Collection Clearance Officer (783), Bureau of Land Management, 1849 C St. NW., Washington, DC 20240; and the Office of Management and Budget, Paperwork Reduction Project, 1004-0114, Washington, DC 20503.

[58 FR 38198, July 15, 1993, as amended at 59 FR 44858, Aug. 30, 1994; 64 FR 47021, Aug. 27, 1999]

**§ 3833.1 Recordation of mining claims.**

**§ 3833.1-1 Refundability of service charges, location fees, rental and maintenance fees.**

(a) Service charges submitted for new recordings under § 3833.1-2 are not returnable or refundable after the document has received the processing for which the service charges were paid.

(b) Service charges submitted with documents to be filed pursuant to §§ 3833.2 and 3833.3 are returnable or refundable if, at the time of submission, the affected mining claim or site is de-

termined to be null and void or abandoned by operation of law.

(c) Maintenance and location fees are not returnable or refundable unless the mining claim or site has been determined, as of the date the fees were submitted, to be null and void, abandoned by operation of law, or otherwise forfeited.

(d) Maintenance fees, location fees, or service charges made in duplicate for the same claim or site or otherwise overpaid are returnable or refundable. The money will be returned or refunded to the party who submitted it. The authorized officer may apply the fee to a future year if so instructed by the payor.

(e) Voluntary actions such as relinquishment of claims or sites, or payment of maintenance fees by a qualified small miner, shall not be a qualifying reason for obtaining a refund of such fees previously paid.

[59 FR 44858, Aug.30, 1994]

**§ 3833.1-2 Recordation of mining claims, mill sites and tunnel sites located after October 21, 1976.**

(a) The owner of an unpatented mining claim, mill site or tunnel site located after October 21, 1976, on Federal lands, excluding lands within units of the National Park System shall file within 90 days after the date of location of that claim or site in the proper BLM office, a copy of the official record of the notice or certificate of location of that claim or site that was or will be filed under state law. If state law does not require the recordation of a notice or certificate of location of a claim or site, a notice or certificate of location containing the information in paragraph (b) of this section shall be filed. (See § 3734.1(a) of this title for mining claims and sites filed under Pub. L. 84-359 (69 Stat. 681) and § 3821.2 of this title for mining claims and sites filed on O and C lands).

(b) The copy of the notice or certificates filed in accordance with paragraph (a) of this section shall be supplemented by the following additional information unless it is included in the copy:

(1) The name or number of the claim or site, or both, if the claim or site has both;